

Emailed comments from Tom Winter, Division of the State Architect, to Bryan Alcorn of the Energy Commission, 10/30/03

FROM: "Winter, Tom" <Tom.Winter@dgs.ca.gov> 10/30/03 10:03AM
TO: 'balcorn@energy.state.ca.gov'
CC:

DATE: 10/30/03 1:08 PM
SUBJECT: SHBC Exception section 100

Brian Alcorn
California Energy Commission

I'm glad we had a chance to talk yesterday regarding Title 24, Part 6, Section 100 (a) the exception for historic buildings from the energy code in response to the State Historical Building Code (SHBC). I've had a chance to talk to some of my board members and have the following comments.

It is the opinion of the State Historical Building Safety Board (SHBSB) that CEC proposed language for in the 2005 Building Energy Efficiency Standards, Express Terms, 15-Day Language is in direct conflict with Health and Safety Code section 18959 (b) for local agencies as described by "building departments".

Health and Safety Code S. 18959 (b) states that all local building departments shall administer and enforce the SHBC. That language specifically removes any discretion from the enforcing agency about enforcing the SHBC. Your language attempts to give that discretion back to the "building official".

Your language is confusing as well for state agencies who under H&SC S. 18959 (b) shall administer and enforce the SHBC as it states "building departments" and the terminology is not appropriate. Many state agencies are responsible for programs that administer construction or self administer their building programs. Such agencies as the Department of General Services, the Department of Parks and Recreation and the UC Regents are mandated to use the SHBC and are subject as well to provision of H&SC 18961 for consultation with the SHBSB for determinations of appropriate use of the code.

We would also suggest that in proposing to change the language of Part 6 as it affects historical buildings the CEC as a state agency is required to consult with the SHBSB per H&SC 18961 for any change that would affect the SHBC.

I have included the link to the SHBSB web site where we have posted the latest H&SC sections for the SHBC.

http://www.dsa.dgs.ca.gov/StateHistoricalBuildingSafetyBoard/shbsb_health_safety.htm

Please contact me at (916) 445-7627, I'm sure you will have questions on the issues we've noted above.

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